

48A C.J.S. Judges § 29

Corpus Juris Secundum | August 2023 Update

Judges

Joseph Bassano, J.D.; Khara Singer-Mack, J.D.; Thomas Muskus, J.D; Karl Oakes, J.D. and Jeffrey J. Shampo, J.D.

II. Selection, Eligibility, and Qualification

A. Selection

2. Manner or Method of Selection

b. Appointment

(1) In General

§ 29. Of presiding judge or justice

[Topic Summary](#) | [References](#) | [Correlation Table](#)

West's Key Number Digest

West's Key Number Digest, [Judges](#)  3

In accordance with constitutional or statutory provisions, the presiding judge or justice of a court may be appointed by the governor with the consent of the senate or may be selected by the members of the court.

In accordance with constitutional or statutory provisions, the presiding judge or justice of a court may be appointed by the governor with the consent of the senate¹ or may be selected by the members of the court.² A legislative provision for the selection of a chief justice by the justices of the court from among their number does not violate a constitutional provision which requires the election of judges to be by the people.³

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Footnotes

¹ Tex.—[Eucaline Medicine Co. v. Standard Inv. Co.](#), 25 S.W.2d 259 (Tex. Civ. App. Dallas 1930), writ refused, (Oct. 29, 1930).

As to the definition of a presiding judge or justice, see § 4.

² Ohio—[State ex rel. Taft v. Shook](#), 119 Ohio St. 546, 164 N.E. 760 (1929).

3 Ohio—*State ex rel. Stanton v. Powell*, 109 Ohio St. 383, 2 Ohio L. Abs. 132, 2 Ohio L. Abs. 134, 142 N.E. 401 (1924).

As to the definition of a chief justice, see § 4.

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